Court File No.: CV-22-00030791-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

CHIEF JUSTICE GEOFFREY B. MORAWETZ	)	FRIDAY, THE 11TH DAY
	)	
	)	OF FEBRUARY, 2022

B E T W E E N:

AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION

Plaintiff/
Moving Party

- and -

JIM BOAK, JOANNE CALLAWAY, HILDA FISHER,
LORI INVERARITY, LEO LUCIO, GIL PONTE, MANBAE SINGH-GALL
DARLENE THOMPSON and JOHN DOE

Defendants/
Responding Parties

- and –

THE CORPORATION OF THE CITY OF WINDSOR,
ATTORNEY GENERAL FOR ONTARIO

Interveners

ORDER

THIS MOTION, made by the Plaintiff for an interim interlocutory injunction pursuant to section 101 of the *Courts of Justice Act*, Rule 40.01 of the *Rules of Civil Procedure*, and section 440 of the *Municipal Act, 2001*, was heard at Windsor on February 11, 2022 by videoconference.

UPON READING the Affidavits contained within the Motion Record of the Plaintiff dated February 10, 2022, the Supplementary Motion Record of the Plaintiff dated February 11, 2022, and the Motion Record of The Corporation of the City of Windsor dated February 11, 2022,

the Affidavit of Jason Bellaire sworn February 11, 2022, the Affidavit of Jason Ward Reynar sworn February 11, 2022, the Affidavit of Adam Blake-Gallipeau sworn February 11, 2022, and the Affidavit of Dr. Clifford Rosen sworn February 11, 2022, and upon hearing oral arguments of counsel for the Automotive Parts Manufacturers' Association, The Corporation of the City of Windsor, the Attorney General of Ontario, The Democracy Fund, John Doe, and with Kristian Langenfield making oral arguments on behalf of himself, with no one attending for the Defendants or any other any person having an interest in this matter, although duly served in accordance with the Endorsement of this Court dated February 11, 2022.

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Notice of Motion and the Motion Record is hereby abridged so that this Motion is properly returnable today.

2. **THIS COURT ORDERS** that the Plaintiff is authorized to bring this Motion and the underlying proposed proceeding on behalf of all members of the Automotive Parts Manufacturers' Association pursuant to Rule 10.01(1)(f) of the *Rules of Civil Procedure*.

3. **THIS COURT ORDERS** that an interim interlocutory injunction is granted, effective February 11, 2022, at 7:00 PM, pursuant to section 101 of the *Courts of Justice Act*, Rule 40.01 of the *Rules of Civil Procedure* and section 440 of the *Municipal Act, 2001*.

4. **THIS COURT ORDERS** that the Defendants and any persons having notice of this Order are hereby restrained and enjoined from impeding or blocking access to the Ambassador Bridge

and indirect or direct approaching roadways and access points for ten (10) days from the date of this Order.

5. **THIS COURT ORDERS** that any police officer with the Windsor Police Service, the Ontario Provincial Police, and any other police authority (the "Police"), shall have authorization to arrest and remove any person who has knowledge of this Order and who the Police have reasonable and probable grounds to believe is contravening or has contravened any provision of this Order.

6. **THIS COURT ORDERS** that the Police or designated agents shall have authorization to remove any vehicles, personal property, equipment, structures, or other objects that impede or block access to the Ambassador Bridge and approaching roadways.

7. **THIS COURT ORDERS** that the Police shall retain discretion:

   a. as to the timing and manner of enforcement of this Order, and specifically retained discretion as to the timing and manner of arrest and removal of any person pursuant to this Order;

   b. to detain and release any person without arrest who the Police have reasonable and probable grounds to believe is contravening, or has contravened, any provision of this Order, upon that person agreeing to abide by this Order; and

   c. and to lay any charges or take any other lawful action.

8. **THIS COURT ORDERS** that any peace officer and any member of the Police who arrests or arrests and removes any person pursuant to this Order shall have authorization to release that person from arrest upon that person agreeing in writing to obey this Order

9. **THIS COURT ORDERS** that the Defendants and other persons remain at liberty to engage in a peaceful, lawful and safe protest, that does not impede or block access to the Ambassador Bridge and approaching roadways. For greater certainty, the terms of this Order and any applicable law must be complied with.

10. **THIS COURT ORDERS** that notice of this Order shall be given by the creation of a URL whereby this Order can be viewed and downloaded, with the Plaintiff, The Corporation of the City of Windsor, and the Attorney General of Ontario issuing press releases containing the URL linking to the Order and the date, time and location of the hearing date contemplated in paragraph 14 of this Order.

11. **THIS COURT ORDERS** that notice of this Order may be given in the following manners:

a. by posting copies of this Order in or around the City of Windsor;

b. reading the Order to any person, including but not limited to reading the Order over an amplification system;

c. publishing this Order online; and

d. any other manner deemed appropriate by the parties or the Police.

12. **THIS COURT ORDERS** that this Order shall not apply to persons acting in the course of or in the exercise of a statutory duty, power or authority.

13. **THIS COURT ORDERS** that costs of this Motion shall be in the cause, subject to the Orders granting the interveners standing.

14. **THIS COURT ORDERS** that the parties and any person having an interest in this matter shall appear before the Court in Windsor by videoconference on February 18, 2022 at 10:00 am for the hearing of a motion to continue this Order.

CHIEF JUSTICE GEOFFREY B. MORAWETZ

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AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION v. JIM BOAK et al

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT WINDSOR

ORDER

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